

MAR. -09' 05 (WED) 15:05

HESLIN ROTHENBERG

**RECEIVED**  
**CENTRAL FAX CENTER**

TEL:518 452 5579

P.001

VIA FACSIMILE: 1-703-872-9306

NO. OF PAGES: 13 (Transmittal, Amendment, MAR 09 2005, and Official Disclaimers)

PTO/SB/21 (09-04)  
Approved for use through 07/31/2008. UMB DUSI 0001  
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE  
Under the Copyright Protection Act of 1976, this document is not subject to copyright. For more information, please contact the Copyright Clearance Center.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence sent by fax)  (add number of pages in this submission)	Application Number	10/700.284
	Filing Date	November 3, 2003
	First Named Inventor	Brennan
	An Unit	3751
	Examiner Name	Huyen D. Le
	Attorney Factual Number	1442.004C

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (10 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer (2) <input type="checkbox"/> U.S. 6,662,384 & 6,675,404 <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	HESLIN ROTHENBERG FARLEY & MESITI P.C.		
Signature	<i>Victor A. Cardona</i>		
Printed name	VICTOR A. CARDONA, ESQ.		
Date	March 9, 2005	Reg. No.	44,589

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Victor A. Cardona</i>		
Typed or printed name	VICTOR A. CARDONA	Date	March 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO) to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-5199 and select option 2

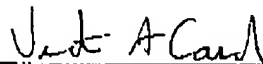
BEST AVAILABLE COPY

**RECEIVED  
CENTRAL FAX CENTER****MAR 09 2005**Docket No. 1442.004C  
U.S. Serial No. 10/700,284**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	BRENNAN	<b>Confirmation No.:</b>	4510
<b>Serial No.:</b>	10/700,284	<b>Group Art Unit:</b>	3751
<b>Filed:</b>	November 3, 2003	<b>Customer No.:</b>	23405
<b>Title:</b>	FLOW CONTROL DEVICE FOR TUB, SPA, OR SHOWER	<b>Examiner:</b>	Huyen D. Le

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attn: Examiner Huyen D. Le, Group Art Unit 3751, at facsimile no. 1-703-872-9306, on March 9, 2005.



Victor A. Cardona, Esq.  
Attorney for Applicant(s)  
Registration No. 44,589

Date of Signature: March 9, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**FAX NO.:** 1-703-872-9306  
**No. of Pages:** 13  
(Including Transmittal Letter and  
Two (2) Terminal Disclaimers)

**RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111**

Dear Sir:

This paper is filed in response to the Office Action mailed on December 9, 2004, in connection with the above-identified U.S. patent application. The three-month period for response expires on March 9, 2005. Accordingly, this response is timely filed along with a Terminal Disclaimer over U.S. Patent No. 6,662,384, and a Terminal Disclaimer over U.S. Patent No. 6,675,404, and the corresponding filing fees. The Commissioner is authorized to charge PTO Deposit Account No. 08-1935 in the amount of \$130.00 (\$65.00 x 2) for the filing of two Terminal Disclaimers. The Commissioner is authorized to credit any overpayment, or charge any additional fees required to U.S. Deposit Account No. 08-1935.

Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.

**BEST AVAILABLE COPY**